

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4, and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Allen (US 4335540; see attached Figure 2 at the end of this office action for further explanation).

For claim 1, Allen teaches a flower arrangement holder having a hydroponic function, comprising:

a storage tank sealed by an upper wall, a bottom wall and a sidewall and containing a predetermined amount of liquid therein;

an absorbent body seat having a predetermined depth and formed in a central portion of the storage tank to receive therein an absorbent body 52 for absorbing liquid from the storage tank;

a liquid supply hole 28 formed through the upper wall of the storage tank at a predetermined position to supply liquid into the storage tank;

a flange 42,C provided around an outside edge of the upper wall of the storage tank and extending upward to a predetermined height, thus forming a liquid storage space; and a support provided under a bottom of the storage tank such that the bottom of the storage

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tank is spaced apart from a support surface by a predetermined height (see attached Figure 2).

For claim 2, Allen teaches the absorbent body seat comprises: a sidewall; and a liquid supply pipe 26 provided in the sidewall of the absorbent body seat to supply the liquid from the storage tank into the absorbent body (see attached Figure 2).

For claim 3, Allen teaches the absorbent body seat is formed in the central portion of the storage tank to the predetermined depth such that a bottom of the absorbent body seat is placed at a predetermined position level with or higher than a lower end of the support (see attached Figure 2).

For claim 4, Allen teaches the absorbent body seated into the absorbent body seat comprises an oasis (note that oasis is the area where soil 152 is contained therein) or a unit made of compressed rockwool or compressed wood.

For claim 6, Allen teaches the liquid is water 18 or water containing nutrients required for hydroponic culture.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Allen in view of Walton et al. (US 4858381).

Further note that Allen teaches the absorbent body seat into which the absorbent body 52 is seated comprises a drain hole 50 formed through a bottom wall of the absorbent body seat at a pre-determined position. However, there is no stopper inserted into the drain hole.

Walton et al. teach a similar floral arrangement holder as that of Allen wherein Walton et al.'s holder includes an absorbent body seat 21 into which the absorbent body 32 is seated comprises a drain hole 33A formed through a bottom wall of the absorbent body seat at a pre-determined position and a stopper 34A is inserted into the drain hole. (see Figure 2). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the holder of Allen so as to include a stopper inserted into the drain hole, in a similar manner as taught in Walton et al., so that the user can controlled the output of the water contained/stored therein.

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Allen in view of Aebersold (US 3290820).

As described above, Allen teaches most of the claimed invention except for a plurality of bar insertion holes formed on the upper wall of the storage tank at predetermined positions, so that a support bar is inserted into each of the bar insertion holes.

Aebersold teaches a similar floral arrangement holder as that of Allen wherein Aebersold's holder includes a plurality of bar insertion holes 42 formed on the upper wall 18 of the storage tank 16 at predetermined positions so that a support bar 56 is inserted into each of the bar insertion holes (see Figure 1). It would have been obvious

to one having ordinary skill in the art at the time the invention was made to have modified the holder of Allen so as to include a plurality of bar insertion holes formed on the upper wall of the storage tank at predetermined positions so that a support bar is inserted into each of the bar insertion holes, in a similar manner as taught in Aebersold, so as to provide some sort of carry means for the holder by grabbing onto the support bar.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trinh T. Nguyen whose telephone number is (571) 272-6906. The examiner can normally be reached on M-F (9:30 A.M to 6:00 P.M).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Mansen can be reached on (571) 272-6608. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Trinh T Nguyen/
Primary Examiner, Art Unit 3644
6/5/08

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U.S. Patent

Jan. 22, 1992

4,335,540

